

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)

v.)

JAMES R. HART)
_____))

Case No. 04-cr-10119-MEL

JOINT MOTION TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, and the defendant, by and through his attorney Kevin Barron, move, pursuant to 18 U.S.C. §3161 (h)(1)(F) to exclude the period of time commencing on May 18, 2006 and ending on November 6, 2006. As grounds therefore, the parties state that the defense needs this time to prepare for trial.

WHEREFORE, the United States respectfully request, under 18 U.S.C. §§3161(h)(1)(F) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above period in computing the time within which trial must commence.

Respectfully Submitted,

JAMES HART

By:

/s/ Kevin Barron (by SPB)

KEVIN BARRON

Attorney for James Hart

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MICHAEL J. SULLIVAN

United States Attorney

By:

/s/ Seth P. Berman

SETH P. BERMAN

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May 18, 2006